

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
SUBREGION 33

NORCROSS SAFETY PRODUCTS LLC

Employer

and

Cases 33-RD-838

INTERNATIONAL BROTHERHOOD OF  
TEAMSTERS LOCAL 371

Union Involved

and

AMOS JOHNSON

Petitioner

ORDER DISMISSING PETITION AND REVOKING CERTIFICATION

Pursuant to a Stipulated Election Agreement, an election was conducted in Case 33-RD-580, among certain employees of the Employer. On March 14, 1991, the Acting Regional Director for Region 33 on behalf of the National Labor Relations Board issued a Certification of Representative in Norcross Footwear, Inc., d/b/a Servus Footwear Company Case 33-RD-580 certifying the Union as the exclusive collective-bargaining representative of the Employer's employees in the following unit:

All full-time and regular part-time shipping and receiving employees employed by the Employer at its Distribution Center located at 4008 – 79<sup>th</sup> Avenue, West, Rock Island, Illinois; but excluding office employees, clerical employees, professional employees, guards and supervisors as defined in the Act and all other employees.

The current contract between the Employer and the Union grants recognition to the Union as the representative of employees in the following collective bargaining unit:

All full-time and regular part-time shipping and receiving employees and truck drivers employed at the Company's Distribution Centers in the metropolitan Illinois and Iowa Quad Cities; but excluding all other employees, guards, professional employees and supervisors as defined in the Act, Case #33-RD-580.

On January 5, 2005, the Petitioner filed the petition in Case 33-RD-838, and by letter, the undersigned was advised by the Union that it was disclaiming interest in the further representation of the employees in the contractual unit. There is no evidence that the Union is engaging in any action inconsistent with its disclaimer and neither Petitioner, Union nor the Employer oppose revocation of the outstanding Certification of Representative.

Accordingly, having duly considered the matter,

IT IS HEREBY ORDERED that the petition in Case 33-RD-838 is dismissed. Moreover, in the event the Union makes a claim for recognition upon the Employer within 6 months from this date, as to the contractual unit involved here, a motion by the Petitioner requesting reinstatement of this petition will be entertained.

IT IS FURTHER ORDERED that the Certification of Representative issued in Case 33-RD-580 is revoked.

Pursuant to the National Labor Relations Board's Rules and Regulations, Series 8, as amended, you may obtain a review of this action by filing a request therefore with the National Labor Relations Board, addressed to the Executive Secretary, National Labor Relations Board, 1099 14<sup>th</sup> Street, N.W., Washington, DC 20570. A copy of such request or review must be served on me and each of the other parties to the proceeding. This request for review must contain a complete statement setting forth the facts and reasons upon which it is based. The request for review (eight copies) must be received by the Executive Secretary of the Board in Washington, DC, by the close of business at 5:00 p.m. [EST or EDT, as appropriate] on February 3, 2005. Upon good cause shown, however, the Board may grant special permission for a longer period within which to file. The request for extension of time should be submitted to the Executive Secretary of the Board in Washington, DC, and a copy of any such request for extension of time should be submitted to me, and to each of the parties to this proceeding.

The request for review and any request for extension of time for filing must include a statement that a copy has been served on me and on each of the other parties to this

proceeding, and the copy must be served in the same or faster manner as that utilized in filing the request with the Board. When filing with the Board is accomplished by personal service, however, the other parties shall be promptly notified of such action by telephone, followed by service of a copy by mail or telegraph.

DATED at Peoria, Illinois, this January 20, 2005.

Ralph R. Tremain, RD  
Region 14

By: /s/ Will J. Vance  
Will J. Vance, Officer-in-Charge  
National Labor Relations Board  
Subregion Thirty-Three  
Hamilton Square, Suite 200  
300 Hamilton Boulevard  
Peoria, Illinois 61602

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CASE 33-RD-838

DATE OF MAILING 1/20/05

**AFFIDAVIT OF SERVICE OF ORDER DISMISSING PETITION AND REVOKING  
CERTIFICATION**

I, the undersigned employee of the National Labor Relations Board, say that on the date indicated above I served the above-entitled document(s) by postpaid regular mail upon the following persons, addressed to them at the following addresses:

**Served by regular mail:**

JOE GUISE  
NORCROSS SAFETY PRODUCTS  
1914 COMENTIZ DR  
DAVENPORT IA 52802

AMOS JOHNSON  
615 7TH ST  
ROCK ISLAND IL 61201

ARTHUR W EGGERS  
CALIFF HARPER  
506 - 15TH ST  
PO BOX 719  
MOLINE IL 61266-0719

TEAMSTERS LOCAL 371  
7909 42ND ST W  
ROCK ISLAND IL 61201

**Dated this January 20, 2005.**

**NATIONAL LABOR RELATIONS BOARD**